

## **REMARKS**

In the Official Action mailed **July 14, 2004**, the Examiner reviewed claims 1-30. The drawings were objected to under 37 CFR §1.83(a). Claims 1, 11, and 21 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 2, 9, 10, 11, 12, 19, 20, 21, 22, 29, and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold (USPN 6,275,848, hereinafter “Arnold”) in view of what is well known in the art in further view of Beck et al. (USPN 5,903,723, hereinafter “Beck”). Claims 3-5, 8, 13-15, 18, 23-25, and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold in view of what is well known in the art in further view of Beck in further view of Eldridge et al. (USPN 6,397,261, hereinafter “Eldridge”). Claims 6, 16, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold in view of what is well known in the art in further view of Beck in further view of Pollack (USPN 6,505,236, hereinafter “Pollack”) in further view of Trenbeath et al. (USPN 6,324,587, hereinafter “Trenbeath”) in further view of Birrell et al. (USPN 6,092,101, hereinafter “Birrell”). Claims 7, 17 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold in view of what is well known in the art in further view of Beck in further view of Birrell.

### **Objections to the drawings**

The drawings were objected to under 37 CFR §1.83(a).

Applicant has included new FIG. 2A illustrating an alternate method for delivering an attachment to the recipient. Applicant has also added paragraphs to the specification to introduce the added figure and to describe the added figure. The new FIG. 2 and the paragraphs added to the specification find support on page 10, line 16 to page 11, line 2 of the instant application. No new matter has been added.

**Rejections under 35 U.S.C. §112, second paragraph**

Claims 1, 11, and 21 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully points out that the encryption/decryption and the receipt are supported in the specification on page 10, line 16 to page 11, line 2.

**Rejections under 35 U.S.C. §103(a)**

Claims 1, 11, and 21 were rejected as being unpatentable over Arnold in view of what is well known in the art in further view of Beck. Applicant respectfully points out that Arnold teaches **controlling access to the attachment** using an access control list (see Arnold, col. 4, line 25 to col. 5, line 6).

In contrast, the present invention provides **proof of receipt** by the recipient of the contents of the attachment (see page 10, line 16 to page 11, line 2 of the instant application). Providing proof of receipt of the contents of the attachment is different than controlling access to the attachment. Controlling access to the attachment prevents unauthorized viewers from accessing the attachment, while providing proof of receipt prevents an authorized viewer from denying that the attachment was accessed. There is nothing within the teachings of Arnold or Beck, either explicit or implicit, which suggests providing proof of receipt by the recipient of the contents of the attachment.

Accordingly, Applicant has amended independent claims 1, 11, and 21 to clarify that the present invention provides proof of receipt by the recipient of the contents of the attachment. These amendments find support on page 10, line 16 to page 11, line 2 of the instant application


Hence, Applicant respectfully submits that independent claims 1, 11, and 21 as presently amended are in condition for allowance. Applicant also submits that claims 2-10, which depend upon claim 1, claims 12-20, which depend upon claim 11, and claims 22-30, which depend upon claim 21, are for the same

reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

### CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By   
Edward J. Grundler  
Registration No. 47, 615

Date: September 3, 2004

Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
508 Second Street, Suite 201  
Davis, CA 95616-4692  
Tel: (530) 759-1663  
FAX: (530) 759-1665